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SPECIAL COMMITTEE AGAINST APARTHEID

VERBATIM RECORD OF THE 643rd MEETING

Held at Headquarters, New York,
on Thursday, 11 October 1990, at 10.30 a.m.

Chairman: Mr. GAMBARI (Nigeria)

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The meeting was called to order at 10.50 a.m.

SOLEMN MEETING IN OBSERVANCE OF THE DAY OF SOLIDARITY WITH SOUTH AFRICAN POLITICAL PRISONERS

The CHAIRMAN: This year's observance of the Day of Solidarity with South African Political Prisoners not only provides another opportunity to reaffirm the unanimous demand by the international community for the release of all political prisoners and detainees, but is also an occasion to reflect on what has been achieved so far on the issue of political prisoners within the framework of implementing the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by consensus by the General Assembly last year.

The report of the Secretary-General on the progress made in the implementation of that Declaration dealt with the issue and inspired many delegations to present their views before the resumed session of the General Assembly from 12 to 17 September 1990. On 17 September General Assembly resolution 44/244 was adopted, again by consensus, calling upon the South African régime to take without further delay all the steps stipulated in the Declaration and urging the international community and the Secretary-General to provide all possible assistance to facilitate the reintegration of released political prisoners.

At long last, it does appear that if the régime implements all the steps the General Assembly asked it to take and the measures agreed at the Pretoria meeting with the African National Congress (ANC), today's observance may very well be the last one.

On behalf of the Special Committee, I should like to welcome all those who have accepted our invitation to join us for this solemn occasion. It is a particular honour and pleasure for me to welcome His Excellency Mr. Guido de Marco, President of the General Assembly. His presence on this occasion, notwithstanding his preoccupation with the General Assembly's current session, not only illustrates the great importance the international community attaches to resolving the issue of

(The Chairman)

apartheid, on a priority basis, but also testifies to Mr. de Marco's personal commitment to the just cause of liberation of the South African people from the scourge of apartheid.

I have the honour and pleasure to welcome also His Excellency Sir David Hannay, President of the Security Council, His Excellency Mr. Jan Eliasson, Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, and our special guests. I wish to thank all of them for coming to this solemn meeting.

In 1976 the General Assembly called for the annual observance of the Day of Solidarity in order to make the plight of political prisoners more widely known and to assist in bringing about South Africa's compliance with respective United Nations resolutions. May I take this opportunity now to invite all of you to stand and observe a minute of silence in memory of the victims of apartheid and the many valiant freedom fighters and political prisoners who have sacrificed their lives in the legitimate and just struggle against apartheid.

The participants observed a minute of silence.

The CHAIRMAN: I now have the honour and pleasure to invite His Excxellency Mr. Guido de Marco, President of the General Assembly, to address this solemn meeting.

Mr. de MARCO (Malta), President of the General Assembly: I wish to thank the Special Committee against Apartheid for inviting me to address this solemn meeting. It is hardly necessary to underline the long-standing commitment of the General Assembly to the granting of full political franchise to all South Africans, in general, and its commitment to the release of political prisoners, in particular. This Day of Solidarity with South African Political Prisoners marks the anniversary of the adoption by the General Assembly of a resolution calling upon the South African régime to release unconditionally all persons imprisoned,

(Mr. de Marco, President of the General Assembly)

interned or subjected to other restrictions for having opposed the policy of apartheid. This resolution was adopted 27 years ago, and this is the fourteenth consecutive year in which such a meeting is being held; that in itself is a sober reminder of the long years of suffering endured by the majority of South Africans.

Over the years, on numerous occasions, the General Assembly has demanded the unconditional release of South African political prisoners. Recently, it has often been said that the changes which have occurred during the past months in the global political climate have had a significant impact on the work of the United Nations. The General Assembly's adoption last December by consensus of a historic Declaration on Apartheid and its Destructive Consequences in Southern Africa is a good illustration of this new atmosphere prevailing in the international community. Among the conditions spelled out by this Declaration for the creation of a climate conducive to negotiations is the unconditional release by the Government of South Africa of all political prisoners and detainees and the lifting of all restrictions placed on them. For indeed there is no greater insult to human dignity than imprisonment or detention, based on making it a crime to profess one's political convictions.

Our continued commitment to solidarity with South African political prisoners must of necessity be matched with an equal involvement in the fate of all other political prisoners persecuted by racist, dictatorial, authoritarian or totalitarian régimes. Our credibility demands it, as does our conviction that the principles which form the backbone of the Charter of the United Nations and the Universal Declaration of Human Rights do, in fact, provide the blueprint for peaceful existence.

(Mr. de Marco, President of the General Assembly)

The release of all political prisoners and the lifting of all restrictions placed on them is a challenge for all those who live in free, democratic, pluralistic societies. Whereas this condition has yet to be fulfilled by the South African authorities, encouraging developments have taken place in South Africa since last year. A political process, which is still at an early stage, has started towards the eradication of the apartheid system.

READEX FICHE

(Mr. de Marco, President of the General Assembly)

A number of measures have been adopted, such as the unbanning of political organizations, the lifting of the state of emergency in three provinces of South Africa, and the granting of an automatic right of appeal to people sentenced to death. Of particular significance also was the release, after 27 years of imprisonment, of Nelson Mandela, who was able to address a meeting of this very Committee a few months ago. These measures have enabled political talks to be held between the South African Government and the African National Congress of South Africa (ANC).

Considerable progress towards the release of all political prisoners was achieved with the adoption, by the same two parties last August, of the agreement known as the Pretoria Minute. We appeal to President De Klerk, who is contributing to the advancing dawn in South Africa, to release all remaining political prisoners. This, we think, is an essential element in the process unfolding in South Africa.

This process is seriously hampered by the current wave of violence, which, although it has abated in recent days, still claims the lives of many innocent people. Last month the General Assembly, at its resumed forty-fourth session, called for the immediate end to the violence; asked the South African Government to take urgent action to achieve this, specifically by dismantling the apartheid structures, which engender or promote violent acts; and called upon all parties to contribute to the establishment of a climate free of violence. Such a peaceful climate would allow political changes in South Africa to proceed, thereby neutralizing those who oppose democratic transformation of the country.

In the meantime, the international community should remain vigilant until the political process, which is currently at an early stage, leads to the eradication of apartheid and to the building of a united, multiracial democracy in South Africa.

(Mr. de Marco, President of the General Assembly)

There is a certain loneliness in the life of a political prisoner. After the first days of feeling heroic, the humiliation of the surroundings, separatior from loved ones and thoughts about their financial difficulties, and the monotony of prison life create doubts as to one's ideals, and one starts to question the necessity of it all. It is in these moments of doubt in one's own ideals that the firmness of one's beliefs is confirmed. When the English poet Richard Lovelace wrote

"Stone walls do not a prison make
Nor iron bars a cage"

he must have been thinking of those dissidents who suffer imprisonment for their beliefs - political or religious, according to the times.

More often than not the political prisoner is absorbed in the logic of his principles. Some of those in prison require a symbol; others require a book. In the case of South Africa, most political prisoners have only to look at their skin.

On this Day of Solidarity we stand, humble, for all those who are still suffering, for all those who have died within prison walls, and for their bereaved families. The United Nations, in observing this Day of Solidarity, derives its principles also from one of the first political prisoners in South Africa. I refer to Mahatma Gandhi, who, in his doctrine of peaceful resistance, instilled fear in the powerful and brought their submission - not in hatred, or in vengeance, but in peace and understanding. This, I believe, is the true message that will come through on this Day of Solidarity with South African Political Prisoners.

The CHAIRMAN: I now have the honour to invite His Excellency Sir David Hannay, current President of the Security Council, to make a statement.

Sir David HANNAY (United Kingdom), President of the Security Council: I am grateful to you, Mr. Chairman, and to the members of the Committee for inviting me, as President of the Security Council, to join you for this observance of the Day of Solidarity with South African Political Prisoners.

The Security Council is implacably opposed to the imprisonment, restriction or exile of South Africans because of their opposition to apartheid. The Council has long believed in the legitimacy of the struggle of the people of South Africa for the elimination of apartheid and the establishment of a united, non-racial and democratic society in South Africa. In this regard, the Council reiterates its commitment to previous Council resolutions on South Africa.

On this occasion last year the President of the Security Council recalled the Council's call on South Africa to take a number of specific measures towards the achievement of that goal. Among these were the release of all political prisoners, including Nelson Mandela and all other black leaders; the lifting of restrictions on, and the ending of the exile of, other opponents of apartheid; the ending of violence against peaceful demonstrations; the unbanning of political organizations and the ending of press censorship; the ending of the state of emergency in South Africa; and the opening of negotiations with the genuine representatives of the South African people.

In the past year a number of important steps in the right direction have been taken. Nelson Mandela is free, and so are several other former political prisoners. The South African authorities have committed themselves to the release of the remaining political prisoners and to the granting of indemnities in respect of political offences to people inside and outside South Africa. The members of

(Sir David Hannay, President of the Security Council)

the Council call on South Africa to honour those commitments and to allow refugees and exiles to return home in safety and dignity.

The bans on the African National Congress of South Africa (ANC) and other political organizations have been lifted; talks have begun between the ANC and the South African authorities; the ANC has suspended its armed struggle and has committed itself to peaceful negotiations; the South African authorities have declared their commitment to abolition of the apartheid system.

These are significant moves towards the peaceful settlement in South Africa that members of the Security Council have long called for. A great deal remains to be done, however, before the hateful system of apartheid is finally destroyed and South Africans of all races can live by the principles set out in the Universal Declaration of Human Rights.

The members of the Council call on South Africa to dismantle all apartheid structures and to repeal all repressive legislation in order to ensure free political activity. They call on all parties in South Africa to commit themselves to peaceful negotiations. They call on the South African authorities to take appropriate measures to prevent violence in Natal and the townships. They also call on the South African authorities to work together with the ANC and other parties to this end. The members of the Council hope that by this time next year they may have been able to conclude with confidence that peaceful transformation to a new, united, non-racial and democratic South Africa is assured.

The CHAIRMAN: I now have the honour to invite His Excellency Mr. Jan Eliasson, Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, to make a statement.

Mr. ELIASSON (Sweden), Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa: I am grateful for the honour extended to me, as Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, to address this solemn meeting on the Day of Solidarity with South African Political Prisoners.

Observance of this Day has always been the commemoration of an issue that causes frustration and sorrow. Today, however, for the first time, there is a glimmer of hope - we have reason for cautious optimism.

Significant and positive events have occurred in South Africa, and these have opened up the perspective of profound changes within reach. The total dismantling of the apartheid system is at last a distinct possibility.

(Mr. Eliasson, Chairman, Committee of Trustees of the United Nations Trust Fund for South Africa)

We have seen the release of Nelson Mandela and other political prisoners. In today's newspapers we can read the encouraging news that another 21 prisoners have been released, 16 of them from the notorious Robben Island. We have also seen the removal of the ban on political organizations and the partial lifting of the state of emergency. These are first steps towards the process of negotiations on the political future of South Africa.

To these positive factors should be added the suspension by the African National Congress of South Africa (ANC) of its armed struggle and the agreements that would allow the release of political prisoners and the return of political exiles.

While welcoming these developments we should not underestimate the difficulties that still lie ahead. A good deal remains to be done. The pillars of apartheid are still in place. They are, indeed, cemented in law. A vast array of discriminatory and repressive laws, rules and regulations continue to create havoc in the lives of the black majority of South Africa.

There is also an urgent need to address the tragic violence in Natal and in the townships around Johannesburg. This continued violence has injected a new dimension of suffering and instability affecting the climate for negotiations - in fact, the negotiating process itself.

To sum up, there is still a dangerous gap between hope and reality in South Africa. Let us continue to work to bridge it.

In spite of the release of a number of political prisoners, many political trials are still in progress in South Africa. Political imprisonment continues. About 400 political trials were recorded by independent observers in 1989. The number of such trials is even higher in 1990. It is also disquieting that criminal proceedings continue in cases which are clearly of a political nature.

(Mr. Eliasson, Chairman, Committee of Trustees of the United Nations Trust Fund for South Africa)

As long as all political prisoners and detainees have not been released, as long as arbitrary and repressive legislation continues to be invoked to arrest, detain and imprison opponents of apartheid because of their political beliefs, it is crucial to continue providing humanitarian, legal and relief assistance to all those in need.

With the current momentum towards a peaceful settlement in South Africa, humanitarian efforts will assume even greater significance. I should like particularly to draw attention to General Assembly resolution 44/244, adopted by consensus less than a month ago. In that resolution the Assembly urged the Secretary-General, through the specialized agencies, to provide the necesary assistance to facilitate, inter alia, the reintegration of released political prisoners. That provision may result in additional work for the Trust Fund, which I represent, both now and, not least, during the transition of South Africa to a post-apartheid society.

Allow me in closing, therefore, on behalf of the United Nations Trust Fund, to appeal to all Governments, organizations and individuals to consider seriously today's special circumstances. We must make every effort to live up to the expectations of the many victims of apartheid and the majority of the South African people. Let us not forget that through this international humanitarian effort we make a meaningful contribution to those who stand in defence of freedom, justice and equality for all in South Africa. This is a common interest in an interdependent world.

The CHAIRMAN: At this stage I wish to pause briefly and escort the President of the General Assembly and the President of the Security Council from the Chamber; they have asked to be excused owing to other engagements.

(The Chairman)

I wish now to make a statement on behalf of the Special Committee against Apartheid.

We are once again gathered here today in solidarity with South African political prisoners; since 1976 this has been an annual event of the Organization. In expressing our solidarity this morning, we, the members of the international community, must reaffirm our unanimous demand for the release of all political prisoners and detainees in South Africa.

The members of the international community may wish to be reminded that one of the features of the obnoxious system of apartheid has been the systematic incarceration of thousands of persons opposed to the inhuman policies of the régime. Many such political prisoners, such as Nelson Mandela, have spent or are still spending most of their valuable and active years of life in various prisons inside South Africa. However, since February this year there have been positive developments in the situation in South Africa for the first time in many decades. Notably, some political prisoners, including the Deputy President of the African National Congress of South Africa (ANC), Mr. Nelson Mandela, have been released.

The Special Committee is pleased to hear the news concerning the release of 21 political prisoners yesterday, and we are impressed by their call to their compatriots to support the peaceful process towards the end of apartheid. We also have news that Mr. De Klerk announced, again yesterday, that a process to indemnify ANC exiles and release more political prisoners will be started.

Having said all that, we should take due note that although the political prisoners released or about to be released have indeed been freed from the prison walls of the apartheid régime, they are regrettably still not integrated into South African society, as they remain unable to vote or to be voted for in their country.

(The Chairman)

The Declaration on Apartheid adopted last December at the sixteenth special session of the General Assembly was a landmark in the efforts of the international community; it is indeed of particular importance to the Special Committee because, for the first time, members of the international community were firm and unanimous in their determination to see an end to the obnoxious system of apartheid through peaceful means. The urgent and comprehensive implementation of the provisions of that Declaration is therefore one of the priority tasks the Special Committee will continue vigorously to champion.

Since the report of the Secretary-General was issued in July this year, further progress has been made in South Africa. For instance, the talks between the representatives of the ANC and those of the De Klerk Government which culminated in the Pretoria Minute of 6 August 1990 have now afforded an opportunity for the release of political prisoners in a phased process. Indeed, since 1 September 1990 nearly 100 political prisoners have been released, and it is expected that by April 1991 all political prisoners will have been freed. It must be noted that an estimated 20,000 others remain in exile in different parts of the world, waiting to return to their country of birth. The Special Committee against Apartheid sincerely believes that all political prisoners should be allowed without any further delay to return to South Africa without any pre-conditions and to participate freely in the political activities of their country of birth.

The international community should not shy away from the fact that despite the progress that has been made far more remains to be accomplished if apartheid is to be done away with in South Africa.

(The Chairman)

The basic pillars of apartheid remain pretty much in place and continue to cast doubt on the willingness of the Pretoria régime to implement all the requirements of the Declaration to ensure that the changes will indeed be irreversible.

It was precisely for that reason that one month ago, at its resumed forty-fourth session, the General Assembly adopted yet another resolution by consensus - resolution A/44/244 - which took note of some of the significant measures in the right direction in South Africa and called for the remaining steps to be taken to implement the profound and irreversible changes enshrined in the consensus Declaration of December 1989. The resolution also urged the international community and the Secretary-General to provide all possible assistance to facilitate the reintegration of released political prisoners as well as those in exile. The Special Committee wishes once again to call on the international community to maintain existing sanctions aimed at encouraging the South African régime to move with greater speed towards the eradication of apartheid, and condemns the action of some countries that have deviated from this consensus.

The Special Committee takes a serious view of these cases of deviation, especially against the background of sporadic violence going on in Natal Province, which has unfortunately claimed over 800 lives in the last few months. The Special Committee believes that the source of violence in South Africa is primarily anchored in the continued existence of apartheid policies, practices and structures, as well as the actions of right-wing groups and elements opposed to the democratic transformation of South Africa.

There is also evidence that the South African security forces have not been impartial in the conduct of their duties. It is therefore imperative for the South African authorities to adopt effective measures that will ensure the impartiality

(The Chairman)

of the security forces in the country, and in particular in Natal Province. In this connection, I wish to reiterate the call made by the Special Committee on 31 August 1990 to the effect that all the parties concerned must seek a mechanism that will end the senseless violence in order to enhance the possibility of early national reconciliation.

Finally, it is the hope of my delegation, and indeed that of the Special Committee, that this may be the last year that members of the international community will be called upon to observe the Day of Solidarity with South African Political Prisoners. This is neither an out-of-place hope nor wishful thinking if the De Klerk Government maintains faith in the Pretoria agreement that was reached on 6 August 1990.

I now invite Mr. Abdulrahim Farah, Under-Secretary-General for Special Political Affairs, to read out the Secretary-General's message.

Mr. FARAH (Under-Secretary-General for Special Political Affairs): This is the message by the Secretary-General:

"Today's observance of the International Day of Solidarity with South African Political Prisoners is taking place at a historic juncture in South Africa. Political developments over the past year hold promise that more tangible progress will be made in dismantling the system of apartheid, thus removing a major cause of the unjust imprisonment of those who seek an equitable system of government under which the rights of all will be ensured. I know that I express the strong hope of all present here that the time will soon come when South Africa will be transformed into a united, democratic and non-racial society. It remains my conviction that such a transformation is

(Mr. Farah)

within the grasp of the South African people and, given the political will, statesmanship and a scrupulous regard for the rights of all, I have no doubt that it will materialize.

"These sentiments were expressed by the General Assembly in its Declaration on Apartheid last December. The Assembly affirmed its belief that certain measures were needed in order to create the necessary climate for negotiations. Among these was the requirement that the South African Government should release all political prisoners amd detainees unconditionally and refrain from imposing any restrictions on them. In this connection, we have all welcomed the developments that have led to the release from imprisonment of leaders such as Nelson Mandela, Zephania Mothopeng and Walter Sisulu, and others. Their release was a vindication of all that we in the Organization cherish and hold dear.

"The concern of the General Assembly over political prisoners and exiles was again reflected in the resolution it adopted last month, under which it requested me to provide all possible assistance, through relevant United Nations agencies, to facilitate the return of exiles and refugees and the reintegration of released political prisoners into South African society. The United Nations stands ready to do so. Consultations have in fact already begun between the United Nations High Commissioner for Refugees and the concerned parties.

"The agreements reached between the Government of South Africa and the African National Congress of South Africa (ANC) at their meeting in Pretoria last August provide for a plan for the release of ANC-related prisoners and the granting of indemnity to groups of persons in a phased manner. I was glad to learn yesterday that a further group of political prisoners has been released. There is no doubt that the agreements reached in August will

(Mr. Farah)

promote the confidence that will further contribute to the creation of a climate conducive to negotiations. Undoing the wrongs inflicted by apartheid and establishing fully the conditions in which free political activity can take place are necessary ingredients for national reconciliation. These are indispensable steps in strengthening the process for political change that has now been initiated in South Africa.

"Let me again stress how critical it is that an atmosphere free from violence and intimidation be restored throughout South Africa. All parties concerned must contribute to the establishment of a peaceful climate that will ensure security for all and enable the energies of the people to be devoted to nation-building.

"Our thoughts today go to all political prisoners who still languish in jail and are sacrificing their freedom in the cause of democracy, decency and dignity. They too must be released."

The CHAIRMAN: I now have the great pleasure of welcoming our special guest, who has been kind enough to join us on this occasion.

In inviting Mr. Donald Woods to address our meeting, I should like to make the following observation.

Mr. Woods is a South African journalist and well known to all of us. Following his exposé on the death of his friend Stephen Biko in 1975, Mr. Woods was declared a banned person by the South African authorities. He fled South Africa at that time and lived for 15 years in exile. His escape from apartheid was portrayed in the film "Cry Freedom". Mr. Woods has just returned from a visit to South Africa.

I now call on Mr. Woods.

Mr. WOODS: Last time I spoke at the United Nations was in 1978, and that was at the Security Council. So I am very glad to be here today, and I am very glad as an African that on both occasions it was under the chairmanship of a distinguished Nigerian.

Today's occasion is to mark our solidarity with the political prisoners in South Africa. For me, there are many personal memories of people like Steve Biko and Mapetla Mohapi, who lost their lives in political prisons, and others who lost their lives because of their political views, such as Griffiths Mxenge and Victoria Mxenge. One tends to think of people like that today.

(Mr. Woods)

I think one of the encouraging things we are seeing is the effect of many years of pressure from the international community through economic sanctions. It is recognized today that economic sanctions have played a very positive role in bringing about the start of negotiations in South Africa.

I recently spent six weeks back in South Africa and was very heartened at the beginning of the negotiation process and at noticing the very real changes that are starting to occur there. For me, after 12 years in exile, it was noticeable that the political climate has changed quite dramatically, especially in terms of thinking about the categories of political prisoners. I noticed, for example, that the entire thrust of security-police activity is very different from what it was 12 or 13 years ago. When we read of more political prisoners being released, it is very encouraging and gives us ground for hope that, in the Chairman's words, this may be the last such observance we have to hold. We can only hope so.

The important thing is that the overall trend appears to be in the right direction. Nobody can pretend that the release of Nelson Mandela is a cosmetic act or that the very brave steps taken by both sides to try to initiate an accord are cosmetic actions. I think impressive things are being done by courageous people, and it would be sad and tragic if the process were prematurely pre-empted by the lifting of those very pressures that caused the initiation of the negotiation process. I think morally the only people who can tell us when to lift these pressures are the victims of apartheid, and the victims of apartheid are black South Africans; they are not white South African politicians or white South African businessmen or white American or British or other spokesmen. When black South Africans tell us the time has come to lift the pressures, that will be the time to lift them.

But today, as we think back to all the many thousands who have been imprisoned for their political views in South Africa and the many hundreds who have lost their

(Mr. Woods)

lives directly as a result of their political views, we have also to pay a tribute to the success of their sacrifice and to the success of the pressures marshalled both inside and outside the country. Things are on the right road at last, and I think it would be a fitting tribute to them to maintain the kind of pressures that have enabled their work to be successful.

What is particularly encouraging in South Africa today is the change in the concept of political prisoners. We now see an acknowledgement that people should not be imprisoned for their political beliefs or for their legitimate political actions. This is mirrored in similar changes being noticed throughout the world. I think the human race has taken great strides over these past 12 years.

Obviously, there are huge and terrible problems lying ahead for the South African people. To surmount them will require massive support from the international community. We are beginning to look forward to a time when all the elements of pressure that have been marshalled for so many years to bring apartheid to an end can be marshalled positively in efforts to help the South African people in its newfound accession to democracy, in building up the country again, in creating reconciliation among black and white, in rebuilding the economy, in supporting huge programmes in education and housing, and in getting the country back into the community of the human race.

I am very honoured at the Special Committee's invitation to be here today and to add my voice as an individual to the remarks that have been made here. I am very glad to be able to pay a tribute not only to those who are still languishing in political prisons - and to hope they will soon be out - but also to those who gave their lives before and to all those who have helped the efforts of the majority of the South African people to strive for freedom.

The CHAIRMAN: I now have the honour to invite His Excellency Mr. Anthony Nyakyi, Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, to make a statement.

Mr. NYAKYI (United Republic of Tanzania), Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa: On behalf of the Intergovernmental Group and on my own behalf I should like to express our deep appreciation for the invitation extended to us to participate in this important meeting, which commemorates the Day of Solidarity with South African Political Prisoners.

The Intergovernmental Group, while concerning itself mainly with the enforcement of the embargo on the supply and shipping of oil and petroleum products to South Africa, has also been following closely political developments in South Africa. We are participating in today's meeting to highlight the importance of the oil embargo and all other sanctions against South Africa to bringing about a peaceful solution to the crisis facing that country. We are convinced that the oil embargo and other sanctions have helped to compel the South African régime to realize it will not have normal relations with the international community before apartheid has been completely eradicated.

We are glad to state that the Intergovernmental Group, in its efforts over the past three years, has continued to strengthen the implementation of the oil embargo and has assisted Governments in their national policies calling for the prohibition of the supply of oil and petroleum products to South Africa. Clearly, we cannot claim that oil and petroleum products have been totally cut off from South Africa, but it is becoming more difficult for the South African régime to exploit the loopholes in the national policies of the Governments which have imposed a voluntary oil embargo.

(Mr. Nyakyi, Chairman,
Intergovernmental Group to Monitor
the Supply and Shipping of Oil and
Petroleum Products to South Africa)

The release of Nelson Mandela and other political prisoners in February this year raised the hopes of the international community that at long last the régime was beginning to respond to the long-standing demand of the international community for the unconditional release of all political prisoners and detainees. Our hopes, unfortunately, have not been realized. As the report of the Secretary-General on the implementation of the General Assembly's Declaration on Apartheid and its Destructive Consequences in Southern Africa revealed, well over 3,000 political prisoners and detainees remain in prison, and the régime continues to drag its feet about their release.

We hope the South Africa will realize that by releasing all political prisoners it will help create the atmosphere necessary for negotiations on the eradication of apartheid and its replacement by a non-racial, democratic society in that country, in which all people, irrespective of race, colour or national origin, will enjoy equal freedom and participate on an equal footing in the building of their country.

On this Day of Solidarity with South African Political Prisoners, the Intergovernmental Group therefore calls once again upon the South African Government to release all political prisoners unconditionally.

I should like to conclude by assuring the Special Committee against Apartheid and the struggling people of South Africa that the Intergovernmental Group will continue to co-operate fully with the Committee and with the international community in exerting pressure on the South African Government in order to achieve our goal, which is the eradication of apartheid.

The CHAIRMAN: The next speaker is the representative of the Chairman of the Organization of African Unity, His Excellency Mr. Perezi Karukubiro-Kamunanwire of Uganda, on whom I now call.

Mr. KARUKUBIRO-KAMUNANWIRE (Uganda): Mr. Chairman, my delegation would like to thank you and members of your Committee for organizing this solemn occasion in observance of the Day of Solidarity with South African Political Prisoners.

Your Committee has been extremely vigilant. It has kept both the political and the diplomatic spotlight on the injustices of the apartheid régime and the thousands of innocent people, especially the majority of blacks, who are herded into prisons in droves because of their resistance to the evil and racial practices of apartheid.

While my delegation acknowledges that since the release of Comrade Nelson Mandela certain measures in the right direction have been taken by the apartheid régime, we are still convinced that these measures are too few and ineffectual in terms of fulfilling the conditions stipulated in the Harare Declaration and the United Nations consensus Declaration. These measures are limited to the lifting of the ban on anti-apartheid organizations, the lifting of the state of emergency in three of the country's four provinces and the withdrawal of some troops from a few townships. Even in those provinces where the state of emergency is no longer in force, the existence of repressive legislation continues severely to restrict political activity. The majority of political prisoners and detainees have not been freed. The continued existence of security legislation has had the effect of restricting the organizations and persons which the régime claims to have unbanned or from which it claims to have removed restrictions. The structures of apartheid laws which hold them together remain intact.

At the end of its tour of South Africa the Monitoring Group of the Ad Hoc Committee of Heads of State and Government on South Africa of the Organization of African Unity reported:

(Mr. Karukubiro-Kamunanwire, Uganda)

"... there has not been any fundamental or irreversible change in South Africa. The so-called changes which have led some members of the international community to believe that pressures should be relaxed vis-à-vis the apartheid régime fall far short of justifying that belief." (A/44/963, annex, para. 21.2.0)

There must be no let-up in pressure on South Africa until the régime irreversibly demonstrates that it is serious about dismantling apartheid. How can we take the régime seriously when its intelligence agencies and security forces are instigating violence among our brothers and sisters that has led to almost 800 being killed in factional fighting in and around Johannesburg in the last two months? I call upon our brothers and sisters in South Africa to stand united with Nationalist leaders to thwart the intrigues and manipulations of the enemy.

When my President, His Excellency Mr. Yoweri K. Museveni, current Chairman of the Organization of African Unity, addressed the present session of the United Nations General Assembly on 1 October 1990, he emphasized the obligation of all Member countries to intensify pressure upon the apartheid régime to hasten the end of that affront to humanity. He said:

"The sanctions against South Africa are being felt by the racist régime. They should therefore be tightened in order to force South Africa to abandon apartheid at once. The Africans in South Africa itself have expressed support for sanctions as a means of forcing the racists to abandon apartheid. It is therefore incorrect to maintain the view that sanctions are wrong because presumably they hurt the black majority. The view of the black majority is that they want the sanctions. If we are truly interested in assisting them, we should respect their views on this important matter. Those who doubt the efficacy of sanctions must now reassess their positions in the light of the current position elsewhere in the world." (A/45/PV.15, p. 38)

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Those who argue against sanctions do so not because they love the oppressed majority in South Africa: they do so as spokespersons of the business interests based in their own countries whose only preoccupation is the breaking of those very sanctions. Sanctions are necessary to bring the racist régime to its knees. Until we achieve that objective South Africa will remain what it has always been - a gigantic prison for the black majority maliciously gaoled by a clique of vicious whites. In such a case there is no alternative but to fight until justice is done.

The CHAIRMAN: I now invite the representative of the African National Congress of South Africa, Mr. Tebogo Mafole, to address our meeting.

Mr. MAFOLE (African National Congress of South Africa (ANC)): I am greatly honoured and privileged, on behalf of the African National Congress and in the name of the people of South Africa, to address this gathering, which we all hope will be the last solemn meeting in solidarity with South African political prisoners. This is to say that the people of South Africa, and certainly the African National Congress, are determined that South Africa should no longer be a place where the espousal of political beliefs, however unpopular, render one subject to incarceration. It also means that our country will no longer enjoy the dubious distinction of having the highest per capita prison population resulting from the operation of a political system that has earned universal condemnation.

In anticipation of that happy circumstance, it would, therefore, seem most appropriate that we pay a fitting tribute to the United Nations as a whole, and the Special Committee in particular, for their unwavering solidarity with the thousands of our compatriots, who over the years have suffered from arbitrary arrest, imprisonment, torture and even death in detention. In spite of the thick veil of secrecy imposed by the South African régime through a myriad of laws in order to hide the horrendous prison conditions from the glare of international scrutiny, the Special Committee has succeeded in placing the plight of the South African

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political prisoners firmly on the international agenda. For this and other acts of solidarity we remain indebted to the Committee.

The tenacity of our people and their resolve to eliminate apartheid, combined with the massive international support they enjoyed, succeeded in forcing open South African prison doors. Since the last United Nations-sponsored meeting in solidarity with political prisoners in South Africa, we have seen a number of political prisoners released. Noteworthy amongst those was Nelson Mandela, the celebrated political prisoner and leader of the ANC, who had spent 27 years in prison.

All of these developments were welcomed by the democratic movement in South Africa and abroad. Since then a number of political developments have occurred in South Africa, including high-level meetings between representatives of the ANC and those of the South African régime, resulting in important joint communiqués styled respectively as the Groote Schuur and Pretoria Minutes.

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It is our conviction that these developments represent important steps in the direction of solving South Africa's problems and realizing the objectives of the United Nations Declaration by the special session on apartheid, which was adopted in December 1989.

If we sound optimistic about the future course of political events in South Africa, it is not so much that we believe that the obstacles to a political settlement in South Africa have been removed. It is really a reflection of our commitment to a search for peaceful change. But, having said that, we must emphasize that many dangers lie ahead. Let us examine some of the problems.

The majority of the people of South Africa as well as the international community fully support the United Nations Declaration, which demanded that the South African régime undertake certain measures in order to create a climate for negotiations. While it is true that the meetings between the representatives of the régime and of the ANC addressed precisely those obstacles to negotiations, the fact is that the régime has not fully met its obligations in terms of the United Nations Declaration. Indeed, the General Assembly resolution adopted by consensus on 14 September clearly states that the apartheid régime has yet to abide by the demands of the United Nations Declaration.

With regard to the issue of the release of political prisoners, which is not only a demand of the United Nations Declaration but also a major issue under discussion between the Working Group established between the apartheid régime and the ANC, it should be stated that, starting from 1 September 1990, political prisoners were to be released. But what is the reality on the ground? The grim reality on the ground is that, to date, we have in South Africa approximately 3,500 political prisoners who remain locked behind South Africa's bars; we have 358

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political trials that are now under way. We have approximately 50 people who have been detained since the Groote Schuur meeting between the ANC and the Government. The régime has not carried out any irreversible reforms. It is still characterized by the essentially repressive nature of apartheid. Detentions and imprisonments continue. Mac Maharaj, who is a member of the National Executive of the ANC, is in detention as we speak today. Mr. Rapu Molekane, who, the records of the Special Committee will reflect, is the person who spoke at the meeting to commemorate political prisoners Day last year, is today in detention in South Africa.

It is also important to refer to the statement which was recently made by De Klerk, in which he announced that, starting from noon on 8 September, there will be a cut-off date regarding clemency for and indemnity of the exiles and political prisoners. It is our understanding, and the understanding of the Working Group, for that matter, that once a cut-off date has been announced, all political prisoners must be released, all pending or current or legal proceedings and processes will be halted forthwith, all detainees held under section 29 and other sections of the Internal Security Act will be released forthwith. The Government is obliged to grant unconditional and permanent indemnity to all those who committed political offences, whether such people be inside or outside South Africa.

Therefore, while a number of important and positive developments have occurred since 1 February, the record clearly states that a great deal has happened in the opposite direction. I am afraid that if the trend continues our hope of this being the last meeting to mark the Day of Solidarity with Political Prisoners in South Africa will be dashed, and next year at this time we shall be sitting here again.

It should also be emphasized that while the release of political prisoners is central to the creation of a climate conducive to negotiations, the solution of

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this problem is intrinsically linked to the solution of other problems, such as the safe return of political exiles. For, so long as there is no safe conduct for returning exiles, so long will the issue of political prisoners, both actual and potential, remain.

As matters stand, the apartheid régime, in terms of the Pretoria Minute, agreed on a timetable commencing on 1 October to allow the more than 20,000 political exiles to return to South Africa free from persecution. Now, in a mood that can be characterized by nothing other than bad faith, the apartheid régime up to 1 October had come up with new conditions, including this one: the returnees now have to fill in a form in which they state, inter alia, how they left the country, with whom they left the country and whether, on leaving the country, they had committed any offence. Clearly, these new conditions are totally unacceptable, since they represent not only a departure from what was agreed upon, but also, in our view, an attempt to lay a basis for the persecution of a number of political activists.

We are convinced that, on this question, the only way in which the De Klerk régime can demonstrate its bona fides and its proclaimed desire to end apartheid, would be by allowing South African exiles to return to their country without condition, as required by the United Nations Declaration. In our view, this dispensation should include even those South Africans who left the country precisely because they could not allow themselves to be conscripted into the South African racist army. Their perception of the so-called South African Defence Force is shared by democrats the world over - namely, that it is an army that is essentially utilized to impose the apartheid régime's diktat in the neighbouring sovereign States, as well as to suppress the democratic majority population in its struggle for the elimination of apartheid.

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It is also to be hoped that the international community will give its unqualified support to the United Nations General Assembly resolution adopted in September 1990, which calls upon the Secretary-General, through the relevant United Nations structures, to assist in this process. In this regard, I am happy to say that the South African democratic movement has set up structures for the rehabilitation of political exiles, which involve all political groupings across the spectrum. It also encompasses the various service organizations, such as the health workers, as well as other groups representing labour, the religious community, and so forth. The objective of these structures is to facilitate the reintegration of exiles into South African life by addressing such problems as will no doubt arise.

It is also common knowledge that the primary concern of the international community, as well as the people of South Africa, is the issue of violence. Repeated appeals have come from the international community for an end to this senseless carnage that has claimed almost 4,000 lives in Natal in the past four years and close to 800 lives in the Transvaal in the past three weeks. While the concern raised is by and large legitimate, evidence exists which proves an attempt by certain circles deliberately to distort the origins and the dynamics of this conflict and simplistically to dismiss it as just tribal warfare. We are, however, pleased to note that the United Nations resolution of 14 September, to which I alluded earlier on, has put paid to this erroneous notion and has stated the problem as it rightly is - that is, the continued existence of apartheid which, over the years, has thrived in the promotion of disunity among blacks and has thus actively encouraged inter-ethnic animosities.

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Moreover, whilst certain sections of the media have been harping on the need for the ANC Deputy President, Nelson Mandela, to meet with the leader of Kwa-Zulu, Gatsha Buthelezi, in order that the violence may be brought to an end, the same sections have totally ignored the fact that a high-powered delegation of the ANC has already had several sessions with its counterparts in Inkatha, and that serious progress has been made towards resolution of the conflict. It should also be stated that at no stage has the ANC ruled out the possibility of a meeting between Deputy President Mandela and Inkatha President Buthelezi. Indeed, we have always contended, and continue to contend, that such a meeting should not merely provide a photo-opportunity but, rather, lead to a viable solution to the problem.

Not too long ago Mr. F. W. de Klerk visited the United States to present the political perspectives of his Government, which he projected as the champion of the concepts of power-sharing and of one person one vote. It is no secret that his real mission was to mobilize support - especially economic support - for his régime, which has been hit hard by world-wide sanctions.

As we understand it, the problem about power-sharing in the South African context is that it envisages a situation in which power is shared between the different races and ethnic groups. In other words, the political party that enjoys majority support does not exercise the mandate to govern; rather, the different races and ethnic groups serve as the depositories of power. Such an arrangement is obviously unacceptable, since it perpetuates race and ethnic origin as the determinant in South African politics. Moreover, such a dispensation is unacceptable in that it has certain built-in mechanisms that enable one racial group to wield the power of veto over the will of the democratically elected majority.

It is our considered view that the answer to South Africa's constitutional problems lies in the lofty ideal cherished by South Africa's majority and enshrined

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in the United Nations Declaration: one person one vote, on the basis of a common voters' roll. This principle would be the bed-rock of a Constitution whose formulation must involve all South Africans represented in the various political organizations. Such an arrangement, in our judgement, would guarantee universal acceptance of the Constitution.

As regards De Klerk's expectations of, if not outright calls for, relaxation of the measures imposed against the apartheid régime, the thrust of the United Nations resolution of September is abundantly clear. In our view, it is important to bear in mind that the world-wide sanctions against apartheid were actually intended to end apartheid, not just to get the apartheid régime to talk. As the General Assembly underlined last month at its resumed forty-fourth session, the major pillars of the apartheid régime remain firmly in place. That being the case, the measures imposed on the régime to compel it to abandon apartheid must be maintained - indeed, intensified. In short, sanctions must be maintained until there are profound and irreversible changes, within the context of the United Nations Declaration.

It is against this background that we view with great concern the meeting that took place yesterday between the International Monetary Fund (IMF) and representatives of the South African régime. Such a meeting cannot but be viewed as yet another attempt by the IMF to bail out the apartheid régime, which, under international pressure, is being pushed to the negotiating table. The assertion by the IMF representatives that the régime is a member in good standing flies in the face of numerous United Nations resolutions describing apartheid as a crime against humanity, and should be roundly condemned. Any move by the IMF to provide loans to the apartheid régime cannot but help to derail the political process that is already under way, and will constitute an unfriendly act against the majority of the people of South Africa.

(Mr. Mafole, ANC)

For us the basic tenets of the United Nations Declaration remain valid. In order that the speedy demise of apartheid may be brought about, all pressure must be maintained and intensified.

I cannot conclude without expressing myself most strongly, on behalf of the ANC, on a matter that is of grave concern to us. I refer to the carnage that is taking place in Israel. A number of Palestinians have been murdered in cold blood. The United Nations ought to express itself very strongly on this question and support the Palestinian people, who are fighting for self-determination.

In conclusion, I state categorically that the ANC will spare no effort to ensure that our country and continent are rid of the scourge of apartheid.

The CHAIRMAN: I now invite Mr. Count Pietersen, representative of the Pan Africanist Congress of Azania, to address the Committee.

Mr. PIETERSEN (Pan Africanist Congress of Azania) (PAC): At the outset, Mr. Chairman, allow me, on behalf of the Pan Africanist Congress of Azania - the custodian of the genuine and legitimate aspirations of the oppressed and dispossessed majority - to thank you for the opportunity to address this very important meeting on the Day of Solidarity with South African Political Prisoners.

My delegation had earnestly hoped that this year a Day of Solidarity with South African Political Prisoners would be unnecessary. We still hope that Mr. De Klerk will speedily release all political prisoners and detainees unconditionally and refrain from imposing restrictions; remove all troops from the townships; end the state of emergency and repeal all legislation designed to circumscribe political activity; and cease all political trials and political executions, as demanded in the Declaration on Apartheid and its Destructive Consequences in Southern Africa - which was adopted by consensus - and, indeed, as promised by De Klerk himself in his statement to the illegal and racist Parliament on 2 February.

(Mr. Pietersen, PAC)

The ball is now in Mr. De Klerk's court. He can ensure that next year's observance of this important Day of Solidarity with South African Political Prisoners - next year will be the fifteenth anniversary - is made unnecessary by the immediate and unconditional release of all remaining political prisoners.

I want to express to you, Mr. Chairman, and to the Special Committee against Apartheid our most sincere thanks for the annual observance of 11 October as the Day of Solidarity with South African Political Prisoners. As former political prisoners have eloquently testified at such solemn commemorations, these meetings have constituted a great source of inspiration, support and encouragement to those incarcerated for their uncompromising stand in defence of their right to national liberation and self-determination.

Economic sanctions, sustained international focus on the plight and conditions of political prisoners, and growing internal resistance have resulted in some successes. The basic aim of the racist régime in imposing long sentences on patriots who demand their legitimate rights is to destroy their spirit of resistance. To achieve this, the régime has kept some prisoners on the notorious Robben Island and in other notorious prisons for over a quarter of a century. The racist régime has subjected those people to physical and psychological torture.

(Mr. Pietersen, PAC)

While we of the Pan Africanist Congress of Azania welcome the release of some political prisoners, we maintain - as recently confirmed by our President, Zephania Mothopeng - that the issues and conditions that led to the sentencing of those patriots remain fundamentally unchanged. The patriots who were released from long terms of imprisonment still cannot vote, they still cannot live in residential areas of their choice, and they still cannot send their children to the schools of their choice.

There is today much euphoria about reforms and irreversible changes. The Pan Africanist Congress of Azania maintains that the five political pillars of apartheid remain basically intact to this very day. These pillars are: the Land Act of 1913 and the resulting Group Areas Act; the Population Registration Act: the Bantu Education Act; the tricameral parliaments; and the bantustans. It was to eradicate these pillars and to establish a system based on one-person one-vote and a single non-racial parliament, which would guarantee individual rights, as opposed to group rights, of all Azanians who owe their allegiance to Africa and accept majority rule, that these patriots went to prison and throughout their incarceration remained faithful to those principles.

Therefore, only the total eradication of the apartheid system, not returning political prisoners to their respective ghettos, can give political substance to their unconditional release.

The Pan Africanist Congress of Azania would like to draw the attention of those participating in this solemn meeting to another stark reality: While we are justifiably demanding the immediate and unconditional release of all political prisoners, many dedicated patriots who were arrested have been murdered in detention by the police and security agents of the apartheid régime. They have become martyrs in our just and legitimate struggle. It is regrettable that today

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we cannot demand their release. But on this solemn day, we must pledge - as we of the PAC do - that our people, and freedom-loving people everywhere, will remember them for their supreme sacrifice in the legitimate struggle for national liberation and self-determination.

It is said in some quarters that the apartheid régime is displaying some signs of its intention to solve the problem through negotiations. There have been the typical rhetorical and pious statements, but no concrete and tangible actions. For instance, the racist régime is continuing with the case of the Upington 14, who were charged under the controversial Law of Common Purpose. The defendants in the Upington 14 are aged, and they face a death sentence just for being present at a politically motivated incident. The treatment of the Upington 14 and the Sharpeville Six testifies to the fact that the apartheid régime is incapable of matching its often-quoted statements of intent with concrete and obvious actions.

The Upington 14 and the Sharpeville Six are political prisoners. The PAC would like to draw the Special Committee's attention to the fact that the issue of political prisoners should not be viewed in isolation from the system imposed and practised by the illegal minority régime. Apartheid South Africa itself is one big prison for the African people. It is already a fact that because of the system of apartheid South Africa has one of the highest prison-population rates in the world; it has one of the highest rates of detention without trial in the world; and it has one of the highest hanging rates in the world. Moreover, it is our contention that it is perhaps the only country in the whole world that holds and detains children between the ages of 7 and 18 for political reasons.

(Mr. Pietersen, PAC)

The PAC would like further to draw the Committee's attention to the case of seven members of the PAC and of Qibla, a Muslim movement. These seven were sentenced last year to a total of 136 years. They include Comrade Mabatu Enoch Zulu, a member of the PAC Central Committee and a young African Methodist Episcopal pastor. We demand their immediate and unconditional release.

In conclusion, the PAC wishes to acknowledge all those, including the Special Committee against Apartheid, that have contributed to securing the unconditional release of some of the political prisoners in our country. But we also feel strongly obliged to remind you and them that the struggle for national liberation and self-determination, for which political prisoners have been ready to sacrifice over a quarter of a century of their lives, has still to be won. Now is not the time for relaxing economic sanctions and for complacency. It is, in our view, the time for further intensification of the isolation of the racist régime and the imposition of further economic sanctions against the apartheid régime. For its part, the PAC remains determined to intensify the struggle on all fronts, including armed resistance, until the evil system of apartheid is totally eradicated and replaced by genuine majority rule.

The CHAIRMAN: I wish to announce that on this solemn occasion the Special Committee has received messages from the Heads of State or Government of the following countries: Antigua and Barbuda, Malaysia, Burkina Faso, Suriname, Uganda, Pakistan, Ghana and Sudan. Further messages have been received from the Governments of the Islamic Republic of Iran, Guyana, Bangladesh and Jamaica.

In addition, we have received messages from Deputy Prime Ministers and Ministers for Foreign Affairs as well as from other Government officials of the following countries: Indonesia, Chile, Israel, Venezuela, Libya, the Philippines,

(The Chairman)

Peru, Sierra Leone and the United Republic of Tanzania. Furthermore, Denmark has sent a message on behalf of the Nordic States and Italy has done the same on behalf of the 12 States member of the European Community.

Messages have also been received from the following intergovernmental, international and national non-governmental organizations: the Commission of the Churches on International Affairs of the World Council of Churches, Amnesty International, the Soviet Afro-Asian Solidarity Committee and the Women's International Democratic Federation.

We have received messages as well from the Heads of State of Guinea and the Republic of Egypt.

If I hear no objection, these messages will be published, as usual, as an official document of the Special Committee, taking into account the financial implications involved.

It was so decided.

The CHAIRMAN: We have come to the end of this solemn meeting in observance of the Day of Solidarity with South African Political Prisoners. I thank all of you for participating in this observance.

The meeting rose at 12.25 p.m.